

FILED '11 APR 27 14:26 USDC-ORE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

PHILIP TAYLOR,

Petitioner,

v.

DON MILLS, Superintendent,
Eastern Oregon Correctional
Institution,

Respondent.

Civ. No. 07-1637-AA

OPINION AND ORDER

Aiken, Chief Judge:

Magistrate Judge Coffin issued his Findings and Recommendation in the above-captioned case on March 7, 2011. Magistrate Judge Coffin recommends that the petition for writ of habeas corpus be denied and the case dismissed. Magistrate Judge Coffin found that petitioner's claims were procedurally defaulted and that petitioner could not establish cause or prejudice. The matter is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

When either party objects to any portion of a magistrate judge's Findings and

Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Petitioner timely filed objections to the Findings and Recommendation. Upon de novo review, I find no error and adopt the analysis contained in Magistrate Judge Coffin's opinion.

THEREFORE, IT IS HEREBY ORDERED that Magistrate Judge Coffin's Findings and Recommendation (doc. 73) filed March 7, 2011, is ADOPTED in its entirety. The Petition for Writ of Habeas Corpus (doc. 2) is DENIED and this case is DISMISSED.

IT IS SO ORDERED.

Dated this 26 day of April, 2011.



Ann Aiken
United States District Judge